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Attorney for Plaintiff  
EVELINE HENRIETTE ROSENBERRY

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

EVELINE HENRIETTE ROSENBERRY,

Plaintiff,

v.

MANN BRACKEN, LLC, a Georgia limited  
liability company,

Defendant.

Case No. C07-05448-JW-PVT

**STIPULATION OF DISMISSAL  
WITH PREJUDICE AND  
[PROPOSED] ORDER**

Fed. R. Civ. P. 41(a)(1)

Pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff, EVELINE HENRIETTE ROSENBERRY, and Defendant, MANN BRACKEN, LLC, stipulate, and the Court hereby orders, as follows:

1. The dispute between the parties has been settled, therefore, the claims asserted by Plaintiff, EVELINE HENRIETTE ROSENBERRY, against Defendant, MANN BRACKEN, LLC, in the above-captioned proceeding are hereby dismissed, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1).

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1 Dated: February 15, 2008

/s/ Fred W. Schwinn

Fred W. Schwinn, Esq.  
Attorney for Plaintiff  
EVELINE HENRIETTE  
ROSENBERRY

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4 Dated: February 15, 2008

/s/ Tomio B. Narita

Tomio B. Narita, Esq.  
Attorney for Defendant  
MANN BRACKEN, LLC

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8 THE FOREGOING STIPULATION  
IS APPROVED AND IS SO ORDERED.

9  
10 Dated: \_\_\_\_\_

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The Honorable James Ware  
Judge of the District Court